

JEFFERSON COUNTY COMMISSIONERS
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TOM LYTHGOE, CHAIR

CHUCK NOTBOHM

KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
April 11, 2006**

Present: Commissioners Lythgoe, Notbohm and Weber; Jeff Miller, *RMDC, INC*; Connie and Bob Sims; Sam Little, *Weed Board*; Jan Anderson, *Boulder Monitor/Courier*.

MINUTES

Commissioner Lythgoe moved to approve to approve the minutes for March 14th. Commissioner Weber seconded. Motion carried.

Commissioner Lythgoe moved to approve the minutes for March 21st. Commissioner Weber seconded. Motion carried.

Commissioner Lythgoe moved to approve the minutes for March 28th. Commissioner Weber seconded. Motion carried.

CALENDAR REVIEW

4/12 Commission will meet to discuss and decide on an amount to charge for the lease of property and payment in lieu of taxes - 10:00 a.m.

Commissioner Lythgoe meeting with JLDC - 2:00 p.m.

Commissioner Weber meeting with the Watershed Council re: steering - 7:00 p.m.

4/13 Commissioner Weber meeting with CTAC - Whitehall - 8:00 a.m.

Commission meeting with the Highlander Group re: emergency services building - 1:30

Commissioner Lythgoe meeting with Elkhorn Working Group - 3:00

4/14 Commissioner Lythgoe and County Planner Harold Stepper meeting with Forest Park Estates Water Users Association - 7:00 p.m.

4/17 Commission meeting with the Land Board re: Meth Treatment Facility - 9:00 a.m.

Employee Health Insurance Meetings 11:00 a.m. to 1:00 p.m. and 5:30 p.m. to 7:30 p.m.

4/18 Commission conference call with Ben Sautter and MDT re: Robbins Lane - 9:45 a.m.

Commissioner Lythgoe meeting with Fire Council - 7:00 p.m.

COMMISSION REPORTS

E-911 MEETING

Commissioner Lythgoe reported that it was business as usual at the April 4th E-911 meeting. He stated that Sheriff Doolittle will be meeting with the Whitehall Town Council in regards to getting all emergency services compatible and running smoothly with dispatch. Commissioner Lythgoe stated that the state has told the Sheriff that he needs to get this done and be 100% operational. Sheriff Doolittle is now at a point where he will have to draw a line in the sand to force the 100% compliance.

SOUTH HILLS INTERCHANGE

Commissioner Lythgoe reported that construction of the South Hills Interchange will begin in July or August. He stated that they primarily discussed the east access off the interchange. He stated that MDT, the County and the City all need to sit down and discuss where the roads should be placed.

JEFFERSON RIVER WATERSHED

Commissioner Weber attended the Jefferson River Watershed meeting on April 5th. He stated that there had been some questions raised as to whether or not Commissioners from Jefferson and Madison County should be allowed a seat on the board. He stated that there was even discussion on whether or not there should even be a board. It was decided that the majority of people did not have a problem with commissioners sitting on the board and in fact felt that it was a good idea and would help with relaying information back and forth between many of the county agencies. There was a vote 19 to 7 to proceed with working on the setbacks. Many people expressed their opposition to the setbacks as they felt that the county was taking away from their personal property. However many people felt that if there were not setbacks in place they would be responsible for anything that someone may send down the river. There is a lot of concerns with protecting ranchers water rights and also the fisheries. So these are some of the issues that are being addressed and many are working together to come up with designs that will be best for everyone. Right now their first goal is to get a mission statement out to the public.

ELECTED OFFICIAL/DEPARTMENT HEAD CONCERNS

FUTURE WEED MANAGEMENT WITH THE BLM

Sam Little advised the board that they may want to have the county attorney do some research on case law with regards to fire districts.

Sam Little stated that there was a change in procedure up and coming with BLM that he felt the commission needed to be aware of. In the past the BLM has assisted with spraying some areas of weeds and they are now changing the funding. In the past it has been done by cooperative agreement but in the future you will have to apply for a grant and with that process comes the responsibility of justifying why the area needs to be sprayed. Mr. Little stated that he did not think his time was well spent doing the BLM's job for them.

Mr. Little stated that he was worried that by not complying with the conditions set forth that he would be harming the commissioners talk with the BLM and Forest Service with regards to some of our road issues. Commissioner Lythgoe stated that he felt that weeds and our talks with BLM and Forest Service would not be effected if we were to decide not to work with BLM and their

new weed management system. Commissioner Weber agreed with Commissioner Lythgoe, stating that they were two separate issues and should not effect one another. However we, the board, will not make a decision with regards to BLM weed management until further information is available, the Jefferson County Weed Board makes a recommendation and until it can be put onto the Commission Agenda.

Our cooperative agreement with the BLM expires 5/10/06. And again Sam felt that it was not Jefferson Counties responsibility to treat and fund weed management on federal land.

REFINISHING COURTROOM TABLES

Clerk of Court Marilyn Craft sent a memo to the commission as well as to other departments that use the courtroom on a regular basis in regards to helping fund the refinishing work needed on the tables in the courtroom. The total cost will be approximately \$1,000.00 per table. Discussion and Decision will be on a future agenda.

CORRESPONDENCE

APOLLO GOLD LETTER

The commission received a letter from the Jefferson Local Development Corporation in regards to an account that Jefferson County has, this is a trust fund mine reserve account. The available amount in the account is approximately \$2.7 million dollars, with 2/3 going to schools in the mining area. Commissioner Lythgoe stated that it has been his position all along to not use these funds. He stated that he had talked to the schools in the mining area and they stated that they were not in dire need of the money from this account at this time. Commissioner Lythgoe stated that until we have a clear idea of the fate of Montana Tunnels his opinion is to leave the monies in the account for the interim. Commissioner Weber asked if the statute read that we may activate it or that we will activate it. Commissioner Lythgoe answered that it stated that we may activate the money. Commissioner Weber then stated that as long as we were not violating statute then he agreed to leave the money alone for now.

Commissioner Lythgoe stated that the letter deserved a response and he will draft a letter in response.

SUBSCRIPTION INCREASE

Jan Anderson advised the board that there will be an increase in the amount for subscriptions and all the other county offices needed to know. She stated that her costs have gone up and as a result she will need to raise her cost \$2.00 from \$22.00 to \$24.00.

ITEMS FOR COMMISSIONERS; ACTION OR REVIEW

RESOLUTION 15-2006 CDBG BLOCK PLANNING GRANT

Jeff Miller was available for any questions that the commission may have. There were none as everyone is on the same page with regards to the steps needed to properly repair the Big Boulder Apartments.

RESOLUTION 15-2006

A RESOLUTION OF THE JEFFERSON COUNTY COMMISSION TO APPLY FOR A 2006 COMMUNITY DEVELOPMENT BLOCK PLANNING GRANT

WHEREAS, Rocky Mountain Development Council, Inc. has presented the Jefferson County Commission with a plan to apply for a Community Development Block Grant (CDBG) Planning Grant for the Rehabilitation of the Big Boulder Apartment complex in Boulder, Montana;

WHEREAS, the grant will be used to determine the structural integrity of the buildings, the existence of hazardous materials, the current condition of the electrical, plumbing and mechanical systems; the scope of the required as well as desired rehabilitation and the associated cost of each approach; the significance of the facility to the community housing needs and community support of the project;

NOW THEREFORE BE IT RESOLVED BY THE JEFFERSON COUNTY BOARD OF COMMISSIONERS, that Rocky Mountain Development Council, Inc. shall submit the 2006 CDBG Planning Grant application on behalf of the Jefferson County Commission.

Passed and Approved this ____ day of _____ 2006.

Commissioner Lythgoe moved to adopt Resolution 15-2006 to apply for a 2006 Community Development Block Planning Grant. Commissioner Weber seconded. Motion carried.

JURISDICTIONAL BOUNDARIES

Harold Stepper stated that Jefferson County and the City of Boulder do not have a jurisdictional map filed properly in the Clerk & Records Office. Harold stated that we are required by State statute to have accessible maps showing jurisdictional boundaries.

Jan Anderson asked if the Cities of Whitehall and Boulder were aware of the areas shown on the map. Harold Stepper stated that yes, both cities were aware of the boundaries and did not have
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any disputes.

RESOLUTION 16 - 2006

RESOLUTION TO ADOPT JURISDICTIONAL AREA OF COUNTY PLANNING AND ZONING

WHEREAS, the Legislature has enacted MCA 76-1-502, which permits that the planning board, after the approval of the jurisdictional area by the board of county commissioners, shall file in the office of the clerk and recorder a map showing the boundaries of the jurisdictional area; and

WHEREAS, Jefferson County has produced a map which shows the boundaries of the jurisdictional area of the Jefferson County Planning and Zoning per MCA 76-1-501 and MCA 76-2-202; and

WHEREAS, the Legislature has enacted MCA 76-2-310 which permits the Cities of Whitehall and Boulder to adopt a growth policy for their jurisdictional area within the city limits; and

WHEREAS, Jefferson County has produced maps indicating the jurisdictional area of the City of Whitehall and the City of Boulder and these areas are then excluded from the jurisdictional area of the Jefferson County Planning and Zoning.

NOW THEREFORE BE IT RESOLVED, that pursuant to §76-1-502, MCA the Jefferson County Board of Commissioners hereby incorporates the attached map as an official map depicting the boundaries of the Jefferson County Planning and Zoning jurisdictional area, the attached Exhibit "A", as well as depicting the boundaries of areas excluded from the Jefferson County Planning and Zoning jurisdiction due to the jurisdiction asserted by the City of Whitehall and the City of Boulder as found in the attached Exhibit "A" and that Exhibit "A" is incorporated herein by reference.

Dated this ____ day of April, 2006.

Commissioner Lythgoe moved to adopt Resolution 16-2006. Commissioner Weber seconded.
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Motion carried.

Commissioner Weber moved to adjourn the meeting. Commissioner Notbohm seconded.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY

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TOMAS E. LYTHGOE, CHAIR

CLERK AND RECORDER

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER